

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Allan Brittle, Jr.,

Civil No. 06-2092 (RHK/AJB)

Plaintiff,

ORDER

v.

Michael Astrue, Commissioner of Social Security,

Defendant.

Based on this Court's review of the record, the Court **AFFIRMS** Magistrate Judge Boylan's Report and Recommendation (Doc. No. 14) dated February 20, 2007. **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (Doc. No. 14) dated February 20, 2007 is **ADOPTED**;
2. Plaintiff's Motion for Summary Judgment (Docket No. 8) is **DENIED**; and
3. Defendant's Motion for Summary Judgment (Doc. No. 11) is **GRANTED**.

Dated: March 13, 2007

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge